



Austin City Council MINUTES

For MAY 30, 1985 -- 1:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

City Council

Frank C. Cooksey
Mayor

John Treviño, Jr.
Mayor Pro Tem

Council Members
Mark Rose
Smoot Carl-Mitchell
Sally Shipman
George Humphrey
Charles E. Urdy

Jorge Carrasco
City Manager

Elden Aldridge
City Clerk

Memorandum To:

Mayor Cooksey called to order the meeting of the Council, noting the absence of Councilmember Urdy, but announced he would be in the Council Chamber later in the afternoon.

MINUTES APPROVED

The Council, on Councilmember Humphrey's motion, Councilmember Carl-Mitchell's second, approved minutes for Special Meetings of May 17 & 20 and Regular Meeting of May 23, 1985. (6-0 Vote, Councilmember Urdy absent)

CONSENT ORDINANCES

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Humphrey's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Urdy absent, unless otherwise indicated.)

Uniform Building Code

Amended Ordinance No. 831110-A to correct a typographical omission from "The Local Amendments to the Uniform Building Code."

Rosedale Moratorium

Approved extension of the moratorium on rezoning actions in the Rosedale Neighborhood Area to August 6, 1985.

Speed Zones

Amended the Austin City Code to modify the following speed zones:

Section 11-2-100(e) - 55 mph

DELETE: Burnet Road from 0.607 miles south of north City limits to the north City limits.

ADD: From 2.221 miles north of U.S. 183 (Research Boulevard) to the north City limits.

Section 11-2-100 (c) 45 mph

ADD: Burnet Road (F.M. 1325) from U.S. 183 (Research Boulevard) to 2.221 miles north of U.S. 183 (Research Boulevard)

Zoning Ordinances

Amended Chapters 13-2 and 13-2(A) of the Austin City Code (Zoning Ordinance) to cover the following changes:

- | | | | |
|----|---|---|--|
| a. | ROBERT MEISEL
By Jean Houlihan/Barr
Company
C14-84-504 | 1119 W. 7th Street
1121 W. 7th Street
623 Blanco Street | From "MF-4" to
"SF-4" |
| | | | <u>EMERGENCY PASSAGE</u> |
| b. | CITY OF AUSTIN
C14-85-057 | 601 E. 15th Street | From "MF-3", "CS",
"LO", "UND" and
Interim "RR" to "p" |
| c. | A.N. BOLDING, JR.
By Nathan D. Smith
C14-85-074 | 1900,1902 Bench Mark
Drive | From Interim "SF-2"
to "LI" |
| d. | CITY OF AUSTIN
By Office of Land
Development Services
C14-85-028 | 5213 Bluffside, also
bounded by proposed
Simmons Road | From "MF-2" to
"SF-6" |
| e. | CHASEWOOD PARTNERS
VII-AUSTIN
By T.J. "Jack" Morton
C14-85-029 | 11261,11279,11295
Taylor Draper Lane | From "MF-2" to
"MF-1" |

- f. POLO PROPERTIES 6703 & 6705 Fort From "SF-1" to "SF-3"
By Kesley Aydam Davis Cove
C14-85-031
- g. JOSEPH-JOSEPH- 707-709 Nelray From "MR-3" to "CS"
WILLIAMS
By B. Tuckey Devlin
C14-84-288
- 6-1 Vote, Councilmember Shipman voted No.
- h. EARL PODOLNICK 12713 F.M. 1325 From Interim "SF-3"
By Espey, Huston & to "GR" & "SF-3"
Assoc.
C14r-84-057
- i. EQUITABLE FINANCIAL East of FM 1325 and From Interim "RR"
SERVICES CORP. South of Howard Lane to "IP"
Tom Van Zandt
C14-85-025
- EMERGENCY PASSAGE OF ORDINANCE

(This was passed a little later in the day, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, 7-0 Vote)

- j. LARRY LANGLEY, TRUSTEE 4106 RR 620 From Interim "RR" to
By E.M. Sykes Co., Inc. "GO" and "LO"
C14r-85-007

OPERATING BUDGET AMENDMENT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance amending the 1984-85 Operating Budget by: (6-0 Vote, Councilmember Urdy absent)

Appropriating \$538,159.00 from the Electric Utility
FY 84-85 Operating Budget for Transmission and Distribution,
System Control, and Generation Engineering Improvements.

It was explained, prior to the vote, that this will be for 34 new employees. Employees now working are putting in many, many hours of overtime and this budget amendment will alleviate that.

CAPITAL IMPROVEMENTS PROGRAM

The Council, on Councilmember Shipman's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance amending the 1984-85 Capital Improvements Program by: Appropriating \$2,000,000 of Capital Recovery Fee Revenues and \$1,400,000 from 1976 Wastewater contingency bonding authority to the 1984-85 Water and Wastewater C.I.P. to fund plants 5 and 6 at the Williamson Creek Wastewater Treatment Plan. (6-0 Vote, Councilmember Urdy absent)

CONTRACT BONDS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Rose's second, waived the requirement for three readings and finally passed an ordinance approving the issuance of \$1,400,000.00 in Contract Bonds by the South Austin Growth Corridor Municipal Utility District No. 1, the Notice of Sale and Bidding Instructions, and Form of Bid and Official Statement. (6-0 Vote, Councilmember Urdy absent)

**RATIFICATION AND APPROVAL OF AMENDED LAND PLAN FOR SOUTHWEST AUSTIN
MUNICIPAL MUD NOS. 1-4**

Council had before them for consideration amending Ordinance Nos. 831208-P, 831208-Q, 831208-R and 831208-S; ratifying and approving the amended land plan for the Southwest Austin Municipal Utility District Nos. 1-4. (TRANSCRIPT OF PROCEEDINGS ON FILE IN CLERK'S OFFICE.)

Mayor Cooksey said he would like this item pulled until June 20 so he can study it further.

Councilmember Rose stated the last Council spent a lot of time looking at MUD's and finding compromise positions. They have all been approved by the Texas Water Commission and the land use has also been approved. Councilmember Rose said the four members of the present Council, which were on the past Council, unanimously approved the amended land plan and the only reason it is before the Council today is to change from resolutions to ordinances. Councilmember Rose asked Mayor Cooksey not to delay.

Paul Isham, City Attorney, stated "I feel somewhat responsible for having this item before the Council today. I don't know if it was explained to the Council, but it might be well to go over it. In 1981 the City Council passed what we refer to as a MUD policy ordinance, which set out the policies the City would follow in reviewing and either consenting or not consenting to it. Pursuant to that ordinance, the ordinance calls for the passage of a consent resolution which required that the Council consent to the creation of a MUD by virtue of passing a resolution. Somewhere between 1981 and 1985, January of '85, we adopted or amended the MUD procedure policy and in the new policy we required that consent be by ordinance. But somewhere between '81 and '85 we sometimes adopted or passed them by resolution. There was some inconsistency there. The original consent agreement, which included land plan for the MUD's in question here, was passed by Ordinance in 1983. After the Council, as I recall, Mr. Rose has reiterated at several hearings on the Southwest Roadway Plan and the alignment was at last adopted by the past Council. The applicants for the Southwest Austin MUD No. 1-4 submitted through the Council an amended land plan based on the alignment that was agreed to or voted on by the Council in 1984. The Council essentially or eventually adopted that land plan. My department, following the '81 ordinance and failing to realize that the original land plan for the Circle C MUD's was passed by ordinance, prepared a resolution rather than an

ordinance for the Council's consideration and that resolution passed, I believe, in June of 1984, adopting the land plan. After that occurred it was brought to our attention that is the Legal Department's attention, that the land plan should have been adopted by ordinance rather than resolution, because the original land plan was adopted by ordinance. And, we have always followed the policy that in order to change an ordinance, it takes an ordinance to amend an ordinance. So, we thought we would place on last week's agenda a pretty routine item that is really correcting what we thought was a procedural mistake and requested Council to consider adopting that land plan that had already been passed by Council by ordinance rather than by resolution. So, I think that needs to be explained to the Council because I think as a result of actions that were taken last summer by the MUD's after the land plan was adopted that they certainly had expanded some sums in going forward in filing their plat pursuant to a land plan that was adopted. Whether Council can consider, at this time, going back and changing that land plan without maybe subjecting themselves to some damages, I really haven't researched that. But, I think those matters need to be brought to the Council's attention.."

Mayor Cooksey asked Mayor Pro Tem Trevino to take the chair so that he could make a motion. Mayor Pro Tem Trevino said he did not think he could take the chair because he removed himself from discussion of this item last week due to conflict of interest. Mr. Isham told Mayor Pro Tem Trevino that he should remove himself from the podium for the same reason, for this item.

Motion - FAILED

Councilmember Carl-Mitchell made a motion, seconded by Mayor Cooksey, to bring this item back on the June 20, 1985 agenda. Motion FAILED by a vote of 3-2-0, (Mayor Cooksey, Councilmembers Carl-Mitchell and Shipman voted Yes, Councilmembers Humphrey and Rose voted No, Councilmember Urdy absent.)

LATER IN THE DAY:

Later in the day, after Councilmember Urdy had entered the Council Chamber, the same item was considered.

Motion

Councilmember Rose made a motion, seconded by Councilmember Urdy to approve the ordinance.

Councilmember Rose stated, "Again, Council, this is accurate technically because it was as the City Attorney advised us. It was passed as a resolution rather than as an ordinance. I recognize that that could technically be construed as an opportunity to redo this particular land use plan. I believe, however, that the reasons that have been stated for a delay and a potential

reconsideration of this particular item are more generic than they are related to this particular item. And, I therefore, think that just to withhold this item and consider it places the Council in the position of making an extremely arbitrary decision. If we want to reconsider All of the Southwest MUD's, which I would not favor, but if that is the desire of the Council for all of the land use plans for all of the Southwest Roadway Plans, then let's handle it on that basis. And, put it on the agenda on that basis. And, treat everyone equally, and, not just handle one MUD or one land use plan and I'm sure that there are a whole host of northern MUD's that would love to see somebody south of them fall by the wayside. That could, in effect, make them millions of dollars, if that kind of policy can be instituted. So, if we're going to reconsider this, then let's don't take an arbitrary action by just withholding this which is only back on the agenda on a technicality. Let's just lay it all out on the table and tell the folks what it is that we're going to do and face up to all the attendant political and legal challenges that that kind of a comprehensive reconsideration requires. If we're going to relive two year's worth of work, then let's spend two years doing it generically.

After a lengthy discussion, the roll was called on the motion:

Motion and Roll Call

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance Nos. 831208-P, 831208-Q, 831208-R and 831208-S; ratifying and approving the amended land plan for the Southwest Austin Municipal Utility Districts Nos. 1-4. (5-1 Vote, Mayor Cooksey voted No, Mayor Pro Tem Trevino abstained.)

Mayor Cooksey stated for the record that he voted against the motion because he never supported this land use over the aquifer and it should never have been approved in the first place. He wanted to give it full and thorough consideration as a land use and roadway plan.

Councilmember Urdy stated that Council passed this before and "we cannot go back and re-do this. If Council erred in passing a resolution rather than an ordinance we should correct our mistake and ratify the ordinance. If we want to change, then it should be done generically."

PUBLIC HEARING - CATTLEMEN'S STATE BANK BUILDING

Mayor Cooksey opened the public hearing set for 2:30 p.m. on final commercial project public hearing on Cattlemen's State Bank Building.

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, closed the public hearing, approved the issuance by the Austin Industrial Development Corporation of an issue of the Austin Industrial Development Corporation Industrial Development Revenue Bonds (Cattlemen's State Bank Building Partnership project) series 1985; approving the resolution authorizing the bonds, the issuance of the bonds thereby, and the plan of financing thereby and the bond documents, and approving the project to be financed with the bonds in the amount of \$2,000,000. (6-0 Vote, Councilmember Urdy absent)

CONSENT RESOLUTIONS

The Council, on Councilmember Carl-Mitchell's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Urdy absent)

Lease with Eurys Estates

Approved lease with Eurys Estates for the Construction Inspection Division of the Public Works Department.

Lease Amendment

Approved Lease Amendment No. 2 with South Lamar Business Center, Ltd. for the Planning and Growth Management Department.

Lease Agreement

Entered into a Lease Agreement with Zachary Scott Theatre Center.

Health Department Lease

Approved lease with Brackenridge Ltd. for the Health Department.

Legal Description

Approved correction of legal description in an easement release approved on November 8, 1984.

Change Order

Approved the following change order: In the amount of \$67,648.62 to Austin Road Company for Braker Lane Paving and Drainage Improvements. (1.6% increase of the original contract) CAPITAL IMPROVEMENTS PROGRAM No. 83/22-20.

Capital Improvements Program

Approved a proposed Supplemental Amendment to the Professional Services Agreement between the City of Austin and Henningson, Durham & Richardson (HDR), Inc. for the Williamson Creek Wastewater Treatment Plant "South Irrigation System". CAPITAL IMPROVEMENTS PROGRAM No. 85/23-15. \$102,763.00.

Contracts Approved

Approved the following contracts:

PAT CANION EXCAVATING COMPANY
P. O. Box 908
Manchaca, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Barton Hills Drainage Improvements,
Public Works Department
Total \$700,348.80 C.I.P. Nos.
79/60-08, 83/22-04 & 83/23-04

GAREY CONSTRUCTION COMPANY
11607 N. Lamar
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Shoal Creek Erosion Control
Improvements between the West 1st
Street Bridge and Electric
Department Building, Public Works
Department - \$918,302.50 C.I.P.
Nos. 82/60-05 & 73/22-92

D. L. MEACHAM CONSTRUCTION CO.
2108 Hoskins Street
Houston, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Installation of Underground
Electric Distribution Facilities
for River Place Section 2, Electric
Utility Department - \$37,230.57
C.I.P. No. 85/15-01

J. W. BUCK CONSTRUCTION COMPANY
4103 Frankford Avenue
Lubbock, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
138KV Transmission Line, Circuits
918-919, Electric Utility
Department - \$858,758.00
C.I.P. No. 79/13-02

FECHHEIMER BROTHERS COMPANY
4545 Malsbary Road
Cincinnati, Ohio

- Uniform Shirts, Central Stores
Division
Twelve (12) Month Period
Total \$35,392.00 85-0188-AV

TECHLINE, INC.
East 7th Street
Austin, Texas

- Street Lighting Standard Poles,
Central Stores Division
Total \$49,770.00 85-0249-AV

THE UNIVERSITY OF TEXAS AT AUSTIN
100 West 22nd Street
Austin, Texas

- Interlocal Cooperation Agreement to provide additional work related to a Water Quality Management Study of Lake Austin and Town Lake, Planning and Growth Management Department - \$40,000 84-S228-LI

Item Pulled

Bid award:

- Word Processing System and Mainframe Software PROFS, Communication Department - Total \$506,164.00 85-S308-FW

(1) WANG LABORATORIES, INC.
One Industrial Avenue
Lowell, Massachusetts

- Three (3) Year Lease Purchase Contract - \$457,646.00

(2) IEM CORPORATION
One Texas Center
505 Barton Springs Road
Austin, Texas

- One (1) Year Lease Purchase Contract - \$48,518.00

To be brought back to Council June 13, 1985.

Interim Settlement Agreement

Entered into a certain Interim Settlement Agreement between the City of Austin and AT&T.

Computer Network

Approved a contract with DEC/Synercom Communication for computer network to support a land-based information system.

Item Postponed

Postponed until June 20, 1985 consideration of designating escort services as public service corporations.

Public Hearings Set

Set public hearings on the following:

- a. Zoning Case No. C14r-85-151. CITY OF AUSTIN by the Office of Land Development Services: June 20, 1985 at 4 P.M.

- b. An amendment to the Subdivision Ordinance requiring dedication of property for parkland or payments in lieu thereof in the subdivision process: June 13, 1985 at 3 P.M.

CITIZEN DID NOT APPEAR

Mr. John Scott Mgebhoff, who had requested to appear before Council, did not appear.

WOODS OF WESTLAKE

Mr. David H. Lindstrom appeared before Council to discuss public safety services to Woods of Westlake within 6 months of full service annexation as required by Texas Law. Mayor Cooksey said the City Manager would work in cooperation with him to address his concerns.

HEARING SET

Mr. William H. Bingham appeared before Council to request a public hearing be set on the use of parkland for July 11, 1985. Mayor Cooksey said it would be set on that date but did not indicate the time.

APPEAL OF DECISION DISCUSSED

Ms. Carlie Saunders appeared before Council to request Council amend the 90 day review process to allow an appeal of the decision made by the Planning Commission.

Councilmember Shipman asked staff for the status of this. She said this is a procedural matter.

MINI WAREHOUSE PERMIT REQUEST

Mr. L.W. Parker appeared before Council requesting that Council remove 25' buffer along west side of north end of 6.81 acre tract 10000 North I.H. 35 and roll 6.81 acres into a single lot using Lot 2 of Don Addition as base for transaction; expedite processing and issuing permit to build mini warehouses on north 3.22 acres of property and permit a mobile home sales lot on the south 3.59 acres of the property.

Jim Duncan said he met with Mr. Parker the day before and has answered most of his questions. Through normal process the 25' buffer can be removed. His zoning is now "CS" under new zoning ordinance and under that he can do what he wants to do. Mr. Parker will have to go through process.

Jim Thompson discussed the approach mains 732 and 733 filed on the property for water and wastewater. They have been processed through the proper commissions and this is tentatively set to appear on the June 13 Council agenda for consideration.

COMPATIBILITY STANDARDS IN ZONING ORDINANCE

Mr. Terry Graham appeared before Council requesting adoption of a resolution to clarify interpretation of Compatibility Standards in Zoning Ordinance. Mr. Duncan, OLDS Director, said their new studies will evaluate what Mr. Graham is asking.

PAYROLL DEDUCTION

Mr. Michael R. Mulligan requested Council approve a resolution reducing requirement of employees to 200 for payroll deduction.

Council will consider this at the June 13, 1985 Council meeting.

PUBLIC HEARING - SUSPENSION OF SOUTHERN UNION GAS COMPANY'S PROPOSED RATE SCHEDULES

Mayor Cooksey opened the public hearing set for 3:30 p.m. on suspension of Southern Union Gas Company's proposed rate schedules.

No one appeared to be heard.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance suspending Southern Union Gas Company's proposed rate schedules. (6-0 Vote, Councilmember Humphrey was out of the room.)

PUBLIC HEARING ON APPEAL NOT HEARD

The appeal set for 3:30 p.m. was withdrawn because an agreement had been reached. The appeal was from Richard L. Ridings, Director of Public Works Department, of the Planning Commission's decision regarding a Special Permit for Louis Howard, 12602 Research Boulevard. C14p-84-101.

PUBLIC HEARING - ELECTRIC HOOK-UP FEES

Mayor Cooksey opened the public hearing set for 4:00 p.m. on recommendations from the Electric Utility Commission concerning hook-up fees.

Merle Moden, Electric Utility Commission, presented the report; a copy of which is on file in the City Clerk's office.

Mr. Moore, Director of Electric Utility, said the staff recommends and requested Council adopt the recommendation.

Bill Oakley, consumer advocate, concurred with fees.

Shudde Fath said this would make growth pay its own way.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, voted to accept the report and continue the public hearing on June 20, 1985 and bring an ordinance for action on that date.

PUBLIC HEARING - AMENDMENT TO THE ELECTRIC UTILITY RATE ORDINANCE

Mayor Cooksey opened the public hearing set for 4:30 p.m. on amendment to the Electric Utility Rate Ordinance to provide a lowering of the fuel charge from \$0.03566 to \$0.03277, effective June 1, 1985.

No one appeared to be heard.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending the Electric Utility Rate Ordinance to provide a lowering of the fuel charge from \$0.03566 to \$0.03277, effective June 1, 1985. (7-0 Vote)

HEARING POSTPONED

The public hearing set for 5:00 p.m. on an appeal from Mr. Jerry L. Harris of the Planning Commission's decision regarding Case No. C14p-84-109, 12118 Walnut Park Crossing was postponed until July 11, 1985 at 7 p.m. There will be a work session June 25, 1985 at 4 p.m. concerning this.

ZONING CASE POSTPONED

Postponed until July 11, 1985 at 7 p.m. is the following zoning hearing:

-84 JOHN P. WATSON
444 By Steve Frost

12118 Walnut Park
Crossing

From Interim "AA" 1st H&A
To "BB" 1st H&A (MF-2)
NO RECOMMENDATION
July 11, 1985 at 7 p.m.

ITEM POSTPONED

Postponed until June 20, 1985 at 7 p.m. is consideration of option to Lease Agreement with People's Community Clinic, East Austin Rape Crisis Center and CEDEN. (COMPLETE TRANSCRIPT OF DISCUSSION IS ON FILE IN CITY CLERK'S OFFICE)

TOWARD EXCELLENCE PROGRAM

Jorge Carrasco, City Manager, presented his report on Toward Excellence Program. He reviewed the program by means of slides. He presented plaques to members of the Council representing core values adopted by the executives of the City of Austin government.

TOWN LAKE RESTORATION/RENOVATION

David Reed, Parks and Recreation Department, presented the City Manager report on Town Lake Restoration/Renovation by means of slides.

1985 POPULATION ESTIMATE

Norman Standerfer, Growth Management Department, presented the City Manager report on 1985 population estimate. He said at mid-decade the City makes an estimate of its population "and we have provided material and an assessment of canvassing of several large cities in Texas. We have contrasted for you in tabular form the 1980 and 1985 population as established by the staff of our growth watch and we will use this material as the common forecasting base for the City's planning and provision of services and facilities."

UPPER WILLIAMSON CREEK MASTER PLAN

Mr. Jim Duncan, OLDS Director, reported on Upper Williamson Creek Master Plan.

REGIONAL TREATMENT PLANT

Jim Thompson, Director of Water and Wastewater, reported on Regional Treatment Plant. (TRANSCRIPT OF HIS REPORT IS ON FILE IN THE CITY CLERK'S OFFICE)

CITY COUNCIL AGENDA

Mayor Cooksey introduced an item to Council to consider revision of the City Council agenda. (COMPLETE TRANSCRIPT OF DISCUSSION IS ON FILE IN CITY CLERK'S OFFICE) The main change is that work sessions will be on Tuesday and Council will review the agenda for the up-coming two regular meetings at that time.

WATER SERVICE

The Council, on Councilmember Rose's motion, Councilmember Urdy's second, approved a 1" water meter for service at 406 Sterzing. (7-0 Vote)

DRIVEWAY REQUIREMENT

Councilmember Rose and Mayor Pro Tem Trevino had introduced an item from Council to consider waiving Loop 360 Ordinance driveway requirement for Case No. C14r-84-170, R. Owen Company of Texas. Mr. Duncan, OLDS, said this has been worked out.

INTERIM DEVELOPMENT CONTROLS

Mayor Pro Tem Trevino and Councilmember Rose introduced an item to Council to consider amendments to the ordinance establishing interim development controls on Capital of Texas Highway between Highway 183 and Highway 290. (COMPLETE TRANSCRIPT OF DISCUSSION IS ON FILE IN CITY CLERK'S OFFICE)

PROFESSIONAL SERVICES AGREEMENT

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Carl-Mitchell's second, adopted a resolution approving a proposed Supplemental Amendment to the Professional Services Agreement between the City of Austin and Henningson, Durham & Richardson (HDR), Inc. for the Williamson Creek Wastewater Treatment Plant "South Irrigation System", C.I.P. No. 82/23-85, \$197,345.00. (6-0 Vote, Councilmember Rose was out of the room.)

CONTRACT APPROVED

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, adopted a resolution approving the following contract: (7-0 Vote)

H & H CONCRETE CONSTRUCTION CO., P. O. Box 6460 Austin, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Stassney Lane Transmission Main, Water and Wastewater Utility Department Total \$535,040.00 C.I.P. No. 82/22-14
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\$30,000.00 to be taken from the ending balance.

CDBG

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted a resolution approving staff recommendations for economic development activities for which a request for proposals will be developed and issued for funding under the 11th Year (FY 1985-86) Community Development Block Grant Program. (7-0 Vote)

(TRANSCRIPT OF PROCEEDINGS ON FILE IN CITY CLERK'S OFFICE)

ENERGY MANAGEMENT COMMISSION

The Energy Management Commission report on amendment to Ordinance No. 830224-L which created and provides duties for the Commission was postponed indefinitely.

HEARING POSTPONED

The hearing scheduled for 7:00 p.m. on Master Urban Design Plan for East 6th and 7th Streets Commercial Corridor, as completed by Villalva-Cotera-Kolar was been postponed

ITEM POSTPONED

Postponed until June 20, 1985 is consideration of an ordinance amending Section 11-5-7, of the City Code, Vehicle Escorts, to allow off-duty police officers to wear police uniforms while employed as an escort guide.

RECESS

Council recessed its meeting at 8:50 p.m. to hold a Special Called Meeting of the Council. Recessed meeting was resumed at 8:53 p.m.

EXECUTIVE SESSION

Mayor Cooksey announced Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss the following matters and action, if any, on the matters will be taken during the public meeting after the conclusion of the Executive Session.

- a. Board and Commission Appointments - Section 2, Paragraph g.
- b. Pending Litigation, including but not limited to the following items - Section 2, Paragraph e.

- (1) Houston Lighting and Power Company, et al v. Brown and Root, et al in Matagorda County, and City of Austin vs. Houston Lighting and Power Company in Travis County - Section 2, Paragraph e.
- (2) Volma Overton, et al v. City of Austin
- (3) City of Austin v. Burnet County, City of Austin v. Bastrop County
- (4) Ehrlich v. City of Austin, City of Austin v. Avenue Restaurant
- (5) City of Austin v. American Pole Structures Corporation.
- (6) Contemplated litigation with other entities concerning disputes over extraterritorial jurisdiction - Section 2, paragraph e.

RECESS

Council recessed its meeting at 8:55 p.m. for executive session and resumed its recessed meeting at 1:00 a.m., 5/31/85.

AMERICAN POLE STRUCTURES SUIT

The Council, on Councilmember Carl-Mitchell's motion, Councilmember Rose's second, authorized the City Attorney to settle the suit of City of Austin v. American Pole Structures Corporation for \$320,000.00. (7-0 Vote)

ADJOURNMENT

The Council adjourned its meeting at 1:02 a.m., 5/31/85.